

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES OF THE
STATE OF MONTANA

In the matter of the amendment of ARM)
37.80.101, 37.80.202, 37.80.203,)
37.80.301, and 37.80.501 pertaining to)
the child care assistance program)

NOTICE OF AMENDMENT

TO: All Interested Persons

1. On June 22, 2006, the Department of Public Health and Human Services published MAR Notice No. 37-386 pertaining to the public hearing on the proposed amendment of the above-stated rules, at page 1555 of the 2006 Montana Administrative Register, issue number 12.

2. The department has amended ARM 37.80.101, 37.80.202, 37.80.203, 37.80.301, and 37.80.501 as proposed.

3. The department received comments regarding proposed changes to the following child care manual sections:

COMMENT #1: Section 6-2 - The commentor pointed out that the inclusion of Washington State in the Western Identification Network (WIN) for background check purposes was incorrect and should not be added.

RESPONSE: The Department concurs. Washington State will not be included in the list of states that participate in the WIN network for purposes of regional background checks.

COMMENT #2: Section 6-13 - The name of the DPHHS Fiscal-Accounts Receivable contact was incorrect.

RESPONSE: The department will include the correct contact information in the revised manual material.

COMMENT #3: Section 6-13 - The manual material states "Legally Unregistered In-home (LUI) payments should generate a 1099. LUI payments are issued directly to the parent who employs the LUI. Child Care Response and Referral Organizations (CCR&Rs) should mark the W-9 'Head of Household'." The commentor states that LUI payments Head of Household Payments DO NOT generate a 1099.

RESPONSE: The department will include an accurate description of the 1099 process for Legally Unregistered In-home providers in the updated manual material.

COMMENT #4: Section 7-1 - The reference to the National School Age Care Alliance is incorrect. This entity has changed its name to National Afterschool

Association (NAA).

RESPONSE: The department will include the correct name of the National Afterschool Association in the revised manual material.

/s/ Francis Clinch for
Rule Reviewer

/s/ Joan Miles
Director, Public Health and
Human Services

Certified to the Secretary of State November 27, 2006.